

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906**

NOTICE OF PUBLIC HEARING [REVISED HEARING DATE]

REQUEST FOR RESCISSION OF WASTE DISCHARGE REQUIREMENTS

ORDER NUMBER R3-2004-105

**(Discharge to hazardous waste surface impoundments
and Toxic Pits Cleanup Act Exemptions)**

FOR

DYNEGY MORRO BAY, LLC;

MORRO BAY POWER PLANT

1290 EMBARCADERO ROAD

MORRO BAY, SAN LUIS OBISPO COUNTY, CA

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), proposes to rescind Waste Discharge Requirements Order R3-2004-105, which includes exemptions from the Toxic Pits Cleanup Act for hazardous waste surface impoundments located at the Dynegy Morro Bay, LLC Power Plant. During the fall of 2007, Dynegy "clean closed" the ponds in place. In early 2008, Dynegy submitted a Technical Certification Report which summarized and certified the closure to both the Department of Toxic Substances Control (DTSC) and Central Coast Water Board. DTSC, as lead agency, agreed with the findings of the Technical Certification Report and approved the formal closure certification in a letter dated August 15, 2008. Since Dynegy is no longer permitted to store or discharge wastes to the impoundments, Dynegy requests the Central Coast Water Board to rescind its' Waste Discharge Requirements.

Rescission of the Waste Discharge Requirements will be considered by the Regional Board at a public hearing scheduled as follows ***[note change of previously noticed meeting date]***:

Date: **Friday, October 23, 2009**

Time: **8:30 a.m.**

Place: **Santa Barbara County Offices**

Supervisors' Board Hearing Room, 4th Floor

105 East Anapamu Street

Santa Barbara, CA 93101

Persons wishing to comment upon the proposed rescission may submit comments for staff recommendation in writing to the Central Coast Water Board at 895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906 (attn. David Schwartzbart) **by noon on September 14, 2009.**

Interested persons may attend the public hearing to make oral comments on rescission of the Waste Discharge Requirements. Persons making presentations should confine their

comments to this issue. At the hearing, the Water Board will limit the time of oral comments (three minute maximum).

The Waste Discharge Requirements, related documents, the Central Coast Water Board's proposed actions, and all comments and petitions received may be inspected and copied, by appointment, at the office of the Central Coast Water Board, 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906. The documents most directly relevant to this action are also available on the Central Coast Water Board's website at: <http://www.waterboards.ca.gov/centralcoast/>

For your convenience, additional documents can be found at the State Water Resources Control Board Geotracker website at the following link:

http://geotracker.swrcb.ca.gov/profile_report.asp?global_id=SL203431377

For additional information you may call David Schwartzbart at (805) 542-4643 or email at dschwartzbart@waterboards.ca.gov. Please bring the foregoing to the attention of any persons known to you who would be interested in this matter.